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December 29, 2017

VIA ECF ONLY

Honorable Brian R. Martinotti, U.S.D.J.
United States District Court for the District of New Jersey
Clarkson S. Fisher Building & U.S. Courthouse
402 East State Street, Room 2020
Trenton, New Jersey 08608

**Re: Curley v. Monmouth County Board of Chosen Freeholders, et al.,
Civil Action No.: 3:17-cv-12300 (BRM) (TJB)**

Dear Judge Martinotti, U.S.D.J:

Please be advised that the undersigned represents Defendants Defendants Monmouth County Board of Chosen Freeholders; Serena DiMaso in her individual and official capacity as Monmouth County Chosen Freeholder; Thomas Arnone, in his individual and official capacity as Monmouth County Chosen Freeholder; Gary Rich, in his individual and official capacity as Monmouth County Chosen Freeholder; Lillian Bury, in her individual and official capacity as Monmouth County Chosen Freeholder; Michael Fitzgerald, Esq., in his individual and official capacity as County Counsel; and Teri O'Connor, in her individual and official capacity as County Administrator (hereinafter collectively

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referred to as "County Defendants") in the above-referenced matter.

In this regard, on December 22, 2017, Plaintiff John Curley filed a Motion to hold the above-listed County Defendants and the undersigned in Contempt (See ECF Nos. 8-9). The Motion is presently returnable before Your Honor on Tuesday, January 16, 2018.

GRANTED { Pursuant to L. Civ. R. 7.1(d)(5), the County Defendants and the undersigned hereby apply to the court for an automatic extension of the of the January 16th motion date, such that the return date for the motion be adjourned to **Monday, February 5, 2018.**

The originally noticed motion day has not previously been extended or adjourned; and this application is being made prior to the original deadline for the County Defendants and the undersigned to file opposition to Plaintiff's Motion pursuant to L. Civ. R. 7.1(d)(2). Should this request be granted, by operation of Local Rule 7.1(d)(5), the new deadline to file opposition papers is January 22, 2018, and the deadline to file reply papers is January 29, 2018. Although not required for this request, I have spoken to counsel for the movant and have obtained my adversary's consent to the extension.

In light of the procedural posture of this case, the filing of this letter shall not be construed as a waiver of any and all defenses, affirmative or otherwise, including but not limited the waivable defenses set forth at Fed. R. Civ. P. 12(b)(2)-(5).

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Should the Court have any questions or require anything further, please do not hesitate to contact the undersigned at (732)681-0048. The Court's courtesy and assistance is greatly appreciated.

Respectfully submitted,

O'DONNELL McCORD, P.C.
Attorneys for Defendants
Monmouth County Board
of Chosen Freeholders, et al.,

/s/Jonathan Testa
JONATHAN TESTA, ESQ.

JT:

cc: Angelo J. Genova, Esq. (Attorney for Plaintiff John Curley) (via email and ECF)

So Ordered this 18th day
of January, 2018.
